

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

GERRON MAURICE LINDSEY,

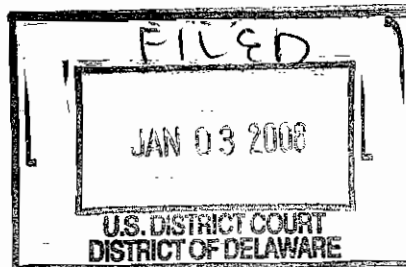
Plaintiff,

Civ. No. 04-1383-SLR

v.

NURSE BRENDA,

Defendant.



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MOTION FOR ENTRY OF DEFAULT JUDGMENT.

In accordance with Fed. R. Civ. P. 55(a), defendant failed to plead or otherwise defend against the complaint as provided by the Federal Rules of Civil Procedure. As a result, judgment by default may be entered as provided for in Fed. R. Civ. P. 55(b).

RELIEF SOUGHT

Plaintiff seeks the sum of one million dollars.

First and foremost, Plaintiff advised defendant while he was in the infirmary that he was feeling suicidal and he began tie a sheet around his neck. At this point defendant moved the sheet out the cell that Plaintiff was in. Minutes later several officers arrived and removed Plaintiff from the suicide cell to the SHU unit. Defendant had an obligation to take the proper precaution to prevent the defendant from doing bodily harm to himself. Instead, defendant ignored him, neglected her duty, and allowed plaintiff to depart from the suicide cell.

When plaintiff arrived to the SHU unit he began to do bodily harm to himself by cutting himself with an metal object and was pepper sprayed. Clearly, if defendant would had performed her duties and took the appropriate pre-

Cautions when Plaintiff made threats of and displayed suicidal behavior he would not have been removed from the suicide cell and placed in a position to do harm to himself. Because of defendant's neglect and deliberate indifference Plaintiff sustained injury. Further, when Plaintiff was returned to the infirmary he advised defendant that he had pepper spray in his hair and eyes. He was provided with a dry wash cloth and he advised defendant that it brought him no relief. No further action was taken by defendant, as a result, plaintiff had to suffer for three days with pepper spray on his body until he was allowed to shower.

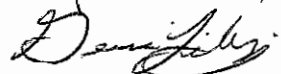
Equally important is the fact that, defendant is aware that Plaintiff is a chronic care mental health patient.

Accordingly, Plaintiff seeks the sum of one million dollars from defendant Nurse Brenda for:

1. Deliberate Indifference \$ 200,000
2. Pain & Suffering \$ 200,000
3. Neglecting to perform duties \$ 200,000
4. Cruel & Unusual Punishment \$ 200,000
5. Mental Anguish \$ 200,000

### CONCLUSION

Because defendant failed to plead or otherwise defend against complaint or provide any contrary evidence, Plaintiff respectfully request that this honorable court GRANT this motion.

Respectfully Submitted,  


I declare under penalty of perjury that this motion and  
what it contains is true.

*Deann Leiby*

Executed: Dec. 24, 2007

Certificate of Service

I Gerron M. Lindsey hereby certify that on December 24, 2007, I served by U.S. mail the Clerk of the U.S. District Court with this motion. I further certify that I served by D.O.C. in house mail Nurse Brenda with this motion.

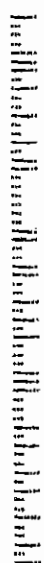
A handwritten signature in black ink, appearing to read "Gerron Lindsey", written in a cursive style.

IM KUSHAL SHAH A/K/A GERROLD TADSEY  
SBI# 386202 UNIT 22  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977

LEGAL MAIL  
12-24-07

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19801-3570

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12-24-07

